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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. **020431.0662**

In re Application of:	§	
	§	
BRIAN M. KENNEDY	§	Examiner:
	§	
Serial No. **09/510,607**	§	**CAROLYN M. BLECK**
	§	
Filed: **22 FEBRUARY 2000**	§	Art Unit: **3626**
	§	
For: **MANAGING DATA ASSOCIATED WITH AVAILABLE-TO-PROMISE (ATP) PRODUCTS**	§	Confirmation No.: **2320**
	§	
	§	

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. § 1.181(a)

MAIL STOP: PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The undersigned has been appointed by the Applicant to continue prosecution of the subject application. A Revocation of Power of Attorney and New Power of Attorney has been filed on 14 June 2005. This Petition to Withdraw Holding of Abandonment Under 37 C.F.R. § 1.181(a) is in response to the Notice of Abandonment mailed 18 October 2005.

A duplicate Copy of the Amendment filed 2 April 2003, including the Facsimile Transmit Confirmation Report is being filed herewith. Please consider the following remarks and withdraw the holding of abandonment.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)
Date of Deposit: 11/18/05
I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail with sufficient postage under 37 C.F.R. §1.8(a) on the date indicated above and is addressed to Mail Stop: Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.
By: _____

REMARKS:

This Petition to Withdraw Holding of Abandonment Under 37 C.F.R. § 1.181(a) is being filed in response to the Notice of Abandonment mailed 18 October 2005, in the subject Application. The Applicant is submitting this Petition within two (2) months of the date of the Notice of Abandonment. Therefore, this Petition to Withdraw Holding of Abandonment is considered timely filed and does not require a fee. The Notice of Abandonment stated that the application was abandoned for failure to timely file a proper reply to the Office letter mailed on 16 January 2003. The Applicants respectfully disagree.

The Applicant respectfully submits that the Amendment was timely filed in response to the Office Action dated 16 January 2003, which provided for a response period ending 16 April 2003, since the Amendment was filed on 2 April 2003. In addition, a Certificate of Transmission is included on the Amendment which attests to the timely transmission of the Amendment being sent via facsimile transmission on 2 April 2003. Furthermore, the Facsimile Transition Confirmation Report states that the date of transmission was 2 April 2003, the facsimile number was a valid United States Patent and Trademark (Office) Facsimile number (703) 745-5582, the total number of pages transmitted to the Office was seventeen (17) pages (one (1) cover sheet and sixteen (16) sheets of the Amendment), and all pages were transmitted to the Office successfully (result OK). This Facsimile Transition Confirmation Report coupled with the Certificate of Transmission is *prima facie* evidence that supports the conclusion that the Amendment was filed on 2 April 2003.

The Applicant further submits that the Applicant has maintained prosecution of the subject Application, in good faith. For example, the Applicant directs the Director to a brief summary of the prosecution timeline, during the time of interest:

2 April 2003	Responded to OA dated 16 January 2003 via facsimile
8 April 2003	Information Disclosure Statement mailed, including check for $180
15 December 2003	First Request for Status mailed

15 December 2003	Information Disclosure Statement mailed, including check for $180
15 September 2004	Second Request for Status mailed
9 December 2004	Information Disclosure Statement mailed, including check for $180
14 June 2005	Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address mailed

The Applicant further submits that attached to the Notice of Abandonment mailed 18 October 2005, is an Interview Summary USPTO Form PTOL-413, for a telephonic interview conducted on 26 September 2005. The telephonic interview was conducted by Examiner Carolyn M. Bleck with Christopher Kennerly. However, the Applicant submitted a Revocation of Power of Attorney on 14 June 2005, which revoked the power of attorney associated with Christopher Kennerly. The Applicant also submitted a New Power of Attorney and a Change of Correspondence Address on 14 June 2005, which directed the Office to direct all correspondence to Customer Number 53184, of which Christopher Kennerly is not a part of. The Applicant is confused as to why the Office did not recognize the Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address.

The Applicant still further submits that the undersigned called Examiner Bleck on 16 October 2005 to discuss the Notice of Abandonment. Examiner Bleck reviewed the file wrapper and stated that the Amendment was received in the file on 8 April 2003, but was listed as non-patent literature. In addition, Examiner Bleck noted that the Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address was received in the file. Furthermore, Examiner Bleck advised the undersigned that if the Applicant believes the mistake for non-recognition of the Amendment and the Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address was made on the part of the Office, the Applicant may submit a Reconsideration of Holding of Abandonment pursuant to MPEP § 711.03.

The Applicant respectfully submits that this Petition conforms to MPEP § 711.03 and 37 C.F.R. § 1.181(a) for petitions to withdraw holding of abandonment based on evidence that a reply was timely mailed or filed: (1) the Applicant is submitting this Petition within two (2) months of the date of the Notice of Abandonment, as such; this Petition is considered timely filed and does not require a fee; (2) the Applicant is submitting a duplicate copy of the original Amendment including a Certificate of transmission, which attests to the timely transmission of the Amendment being sent via facsimile transmission on 2 April 2003; (3) the Applicant is further submitting the Facsimile Transition Confirmation Report that states that the date of transmission was 2 April 2003; and (4) the non-recognition of the Amendment filed on 2 April 2003 and the non-recognition of the Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address mistake was made on the part of the Office.

Thus, the Applicant respectfully requests reconsideration of the holding of abandonment and respectfully requests the Director to withdraw the holding of abandonment on the subject Application and (1) enter the Amendment filed on 2 April 2003 and (2) recognize the Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address.

CONCLUSION:

Because this Petition to Withdraw Holding of Abandonment Under 37 C.F.R. § 1.181(a) is filed within two (2) months of the date of the Notice of Abandonment, no fees are deemed to be necessary; however, the undersigned hereby authorizes the Commissioner to charge any additional fees which may be required, or credit any overpayments, to **Deposit Account No. 500777**.

Please link this application to Customer No. 53184, so that its status may be checked via the PAIR System.

Respectfully submitted,

11/18/05
Date

James E. Walton, Registration No. 47,245
Brian E. Harris, Registration No. 48,383
Steven J. Laureanti, Registration No. 50,274
Daren C. Davis, Registration No. 38,425
Michael Alford, Registration No. 48,707
Law Offices of James E. Walton, P.L.L.C.
1169 N. Burleson Blvd., Suite 107-328
Burleson, Texas 76028
(817) 447-9955 (Voice)
(817) 447-9954 (Fax)
jim@waltonpllc.com (Email)

CUSTOMER NO. 53184

ATTORNEYS AND AGENTS FOR APPLICANT

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** Transmit Conf. Report **

Apr 2 2003 16:52

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TO Examiner Alexander Kalinowski — FAX NO. 703-746-5582

FIRM/COMPANY Patent and Trademark Office — VOICE NO.

FROM Travis Thomas — VOICE NO. 214-953-6676 — DATE April 2, 2003

RETURN TO Darla J. Rupert — PERSONAL FAX NO. 214-661-4676 — PAGES (including cover) 17

MESSAGE

Examiner Kalinowski:

Attached please find a Response Pursuant to 37 C.F.R. § 1.111 for Attorney Docket No. 020431.0662 that we discussed over the telephone. My telephone number is 214-953-6676.

Sincerely,

Travis W. Thomas

Notice of Confidentiality
The information contained in and transmitted with this facsimile is: 1. Subject to the Attorney-client Privilege; 2. Attorney Work Product; or 3. Confidential. It is

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TO	Examiner Alexander Kalinowski	FAX NO.	703-746-5582
FIRM/COMPANY	Patent and Trademark Office	VOICE NO.	
FROM	Travis Thomas	VOICE NO.	214-953-6676
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Sincerely,

Travis W. Thomas

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The information contained in and transmitted with this facsimile is: 1. Subject to the Attorney-client Privilege; 2. Attorney Work Product; or 3. Confidential. It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is unauthorized and strictly prohibited. If you have received this facsimile in error, please notify Baker Botts L.L.P. by telephone at 214.953.6740 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail or, if authorization is granted by the sender, destroyed.

If you do not receive all pages, please call: 214.953.6566 or 214.953.6740 for assistance.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Brian M. Kennedy
Serial No.:	09/510,607
Filing Date:	February 22, 2000
Group Art Unit:	2166
Examiner:	Alexander Kalinowski
Title:	*Managing Data Associated with Available-to-Promise (ATP) Products*

I hereby certify that this correspondence is being sent via facsimile transmission to Assistant Commissioner for Patents, Washington, D.C. on the date shown below.

Darla J. Rupert

Date: April 2, 2003

Honorable Assistant Commissioner for Patents
P. O. Box 2327
Arlington, VA 22202

Dear Sir:

RESPONSE PURSUANT TO 37 C.F.R. § 1.111

In response to the Office Action mailed January 16, 2003, Applicant respectfully requests the Examiner to reconsider the rejection of the claims in view of the following amendment and remarks.

In the Claims

Please amend the claims as follows:

1-10. **(Cancelled)**.

11. **(Currently Amended)** A system for managing data associated with available-to-promise (ATP) products, comprising:

at least two seller models that each represent a seller for one or more products, each product being associated with a product forecast model representing:

forecasted sales of the product through the seller;

planned supply of the product;

customer orders for the product through the seller; and

pre-allocated supply of the product to the seller, the pre-allocated supply being a supply of the product that has been pre-allocated to the seller for promising to subsequent customer orders for the product through the seller**, the pre-allocation of the supply of the product to the seller occurring prior to distribution of the pre-allocated supply of the product to the seller**; and

the system operable to compute the amount of the product that is ATP at a seller according to **at least** the planned supply **of the product**, the customer orders **for the product through the seller**, the pre-allocated supply **of the product to the seller**, and the amount of the product that is ATP at one or more other sellers **at a higher level in a seller hierarchy**.

12. **(Previously Amended)** The system of Claim 11, further operable to adjust the pre-allocated supply of the product to the seller according to one or more business criteria selected from the group consisting of seller criteria, product criteria, forecast criteria, supply criteria, customer order criteria, and policy criteria.

13. **(Previously Amended)** The system of Claim 11, further operable to:

communicate forecast models to a remote system;

receive from the remote system a promise computed at the remote system for a customer order requesting a quantity of a product through the seller, the promise being computed according to the pre-allocated supply of the product to the seller;

receive from the remote system adjusted forecast models reflecting the promise; and

recompute the amount of the product that is ATP at the seller.

14. **(Currently Amended)** The system of Claim 13, wherein:

all forecast models for one or more sellers are communicated to the remote system; and

the system is further operable to:

receive from the remote system the promise also computed according to the amount of the product that is ATP at the one or more other sellers **at the higher level in the seller hierarchy**; and

adjust the amount of the product that is ATP at the one or more other sellers **at the higher level in the seller hierarchy** if the promise exceeds the pre-allocated supply of the product to the seller.

15. **(Previously Amended)** The system of Claim 11, wherein the forecast model further represents a quantity of the product the seller has committed to selling, the system operable to adjust the pre-allocated supply of the product to the seller according to the committed quantity.

16. **(Previously Amended)** The system of Claim 11, further operable to:

accept a customer order requesting a quantity of a product through the seller; and

compute a promise for the customer order according to the planned supply and one or more existing customer orders, the promise restricted according to the pre-allocated supply of the product to the seller.

17. **(Previously Amended)** The system of Claim 11, wherein:

each forecast model is extensible such that one or more policy rules may be associated with the corresponding product;

each policy rule comprises a restriction on either the forecasted sales or the pre-allocated supply of the product to the seller; and

either the forecasted sales or the pre-allocated supply of the product to the seller is computed according to the policy rules.

18. **(Previously Amended)** The system of Claim 11, further operable to adjust either the forecasted sales or the pre-allocated supply of the product to the seller according to an arrival rate of customer orders for the product through the seller.

19. **(Previously Amended)** A system for managing data associated with available-to-promise (ATP) products, comprising:

at least one seller model representing a seller for products that each correspond to an item having one or more restrictions on its sale, at least two products corresponding to the same item but with at least one different restriction, each product being associated with a product forecast model representing:

forecasted sales of the product through the seller;

planned supply of the product;

customer orders for the product through the seller; and

pre-allocated supply of the product to the seller, the pre-allocated supply being a supply of the product that has been pre-allocated to the seller for promising to subsequent customer orders for the product through the seller**, the pre-allocation of the supply of the product to the seller occurring prior to distribution of the pre-allocated supply of the product to the seller**; and

the system operable to compute the amount of the product that is ATP at a seller according to **at least** the planned supply **of the product**, the customer orders **for the product through the seller**, the pre-allocated supply **of the product to the seller**, and the amount of the product that is ATP at one or more other sellers **at a higher level in a seller hierarchy**.

20. **(Previously Added)** The system of Claim 19, wherein the restrictions are selected from the group consisting of price restrictions, quantity restrictions, and lead time restrictions.

21. **(Previously Amended)** The system of Claim 19, further operable to adjust the pre-allocated supply of the product to the seller according to one or more business criteria selected from the group consisting of seller criteria, product criteria, forecast criteria, supply criteria, customer order criteria, and policy criteria.

22. **(Previously Amended)** The system of Claim 19, further operable to:

communicate forecast models to a remote system;

receive from the remote system a promise computed at the remote system for a customer order requesting a quantity of one or more items through the seller, the promise being computed according to at least the pre-allocated supply for corresponding products;

receive from the remote system adjusted forecast models reflecting the promise; and

recompute the amounts of the corresponding products that are ATP at the seller.

23. **(Previously Amended)** The system of Claim 19, wherein the forecast model further represents a quantity of corresponding products the seller has committed to selling, the system operable to adjust the pre-allocated supply of the product to the seller according to the committed quantity.

24. **(Previously Amended)** The system of Claim 19, further operable to:

accept a customer order requesting quantities of one or more items through the seller; and

compute a promise for the customer order according to the pre-allocated supply for corresponding products, wherein the promise comprises a plurality of options each with one or more of the restrictions specified for these products.

25. **(Previously Amended)** The system of Claim 19, wherein:

each forecast model is extensible such that one or more policy rules may be associated with the corresponding product;

each policy rule comprises a restriction on either the forecasted sales or the pre-allocated supply of the product to the seller; and

either the forecasted sales or the pre-allocated supply of the product to the seller are computed according to the policy rules.

26. **(Previously Amended)** The system of Claim 19, further operable to adjust either the forecasted sales or the pre-allocated supply for one or more products for the seller according to an arrival rate of customer orders for those products through the seller.

27. **(Previously Amended)** A method for managing data associated with available-to-promise (ATP) products, comprising:

accessing at least two seller models that each represent a seller for one or more products, each product associated with a product forecast model representing:

forecasted sales of the product through the seller;

planned supply of the product;

customer orders for the product through the seller; and

pre-allocated supply of the product to the seller, the pre-allocated supply being a supply of the product that has been pre-allocated to the seller for promising to subsequent customer orders for the product through the seller**, the pre-allocation of the supply of the product to the seller occurring prior to distribution of the pre-allocated supply of the product to the seller**; and

computing the amount of the product that is ATP at a seller according to **at least** the planned supply **of the product**, the customer orders **for the product through the seller**, the pre-allocated supply **of the product to the seller**, and the amount of the product that is ATP at one or more other sellers **at a higher level in a seller hierarchy**.

28. **(Previously Amended)** The method of Claim 27, further comprising adjusting the pre-allocated supply of the product to the seller according to one or more business criteria selected from the group consisting of seller criteria, product criteria, forecast criteria, supply criteria, customer order criteria, and policy criteria.

29. **(Previously Amended)** The method of Claim 27, further comprising:

communicating forecast models to a remote system;

receiving a promise computed at the remote system for a customer order requesting a quantity of a product through the seller, the promise having been computed according to the pre-allocated supply of the product to the seller;

receiving from the remote system adjusted forecast models reflecting the promise; and

recomputing the amount of the product that is ATP at the seller.

30. **(Currently Amended)** The method of Claim 29:

wherein all forecast models for one or more sellers are communicated to the remote system;

wherein the promise has also been computed according to the amount of the product that is ATP at the one or more other sellers **at the higher level in the seller hierarchy**; and

further comprising adjusting the amount of the product that is ATP at the one or more other sellers **at the higher level in the seller hierarchy** if the promise exceeds the pre-allocated supply of the product to the seller.

31. **(Previously Amended)** The method of Claim 27:

wherein the forecast model further represents a quantity of the product the seller has committed to selling; and

further comprising adjusting the pre-allocated supply of the product to the seller according to the committed quantity.

32. **(Previously Amended)** The method of Claim 27, further comprising:

accepting a customer order requesting a quantity of a product through the seller; and

computing a promise for the customer order according to the planned supply and one or more existing customer orders, the promise restricted according to the pre-allocated supply of the product to the seller.

33. **(Previously Amended)** The method of Claim 27, wherein:

each forecast model is extensible such that one or more policy rules may be associated with the corresponding product;

each policy rule comprises a restriction on either the forecasted sales or the pre-allocated supply of the product to the seller; and

either the forecasted sales or the pre-allocated supply of the product to the seller is computed according to the policy rules.

34. **(Previously Amended)** The method of Claim 27, further comprising adjusting either the forecast values or the pre-allocated supply of the product to the seller according to an arrival rate of customer orders for the product through the seller.

35. **(Currently Amended)** A method for managing data associated with available-to-promise (ATP) products, comprising:

accessing at least one seller model representing a seller for products that each correspond to an item having one or more restrictions on its sale, at least two products corresponding to the same item but with at least one different restriction, each product being associated with a product forecast model representing:

forecasted sales of the product through the seller;

planned supply of the product;

customer orders for the product through the seller; and

pre-allocated supply of the product to the seller, the pre-allocated supply being a supply of the product that has been pre-allocated to the seller for promising to subsequent customer orders for the product through the seller**, the pre-allocation of the supply of the product to the seller occurring prior to distribution of the pre-allocated supply of the product to the seller**; and

computing the amount of the product that is ATP at a seller according to **at least** the planned supply **of the product**, the customer orders **for the product through the seller**, the pre-allocated supply **of the product to the seller**, and the amount of the product that is ATP at one or more other sellers **at a higher level in a seller hierarchy**.

36. **(Previously Added)** The method of Claim 35, wherein the restrictions are selected from the group consisting of price restrictions, quantity restrictions, and lead time restrictions.

37. **(Previously Amended)** The method of Claim 35, further comprising adjusting the pre-allocated supply of the product to the seller according to one or more business criteria selected from the group consisting of seller criteria, product criteria, forecast criteria, supply criteria, customer order criteria, and policy criteria.

38. **(Previously Amended)** The method of Claim 35, further comprising:

communicating forecast models to a remote system;

receiving a promise computed at the remote system for a customer order requesting a quantity of one or more items through the seller, the promise having been computed according to at least the pre-allocated supply for corresponding products;

receiving from the remote system adjusted forecast models reflecting the promise; and

recomputing the amounts of the corresponding products that are ATP at the seller.

39. **(Previously Amended)** The method of Claim 35, wherein:

the forecast model further represents a quantity of corresponding products the seller has committed to selling; and

further comprising adjusting the pre-allocated supply of the product to the seller according to the committed quantity.

40. **(Previously Amended)** The method of Claim 35, further comprising:

accepting a customer order requesting quantities of one or more items through the seller; and

computing a promise for the customer order according to the pre-allocated supply for corresponding products, wherein the promise comprises a plurality of options each with one or more of the restrictions specified for these products.

41. **(Previously Amended)** The method of Claim 35, wherein:

each forecast model is extensible such that one or more policy rules may be associated with the corresponding product;

each policy rule comprises a restriction on either the forecasted sales or the pre-allocated supply of the product to the seller; and

either the forecasted sales or the pre-allocated supply of the product to the seller is computed according to the policy rules.

42. **(Previously Amended)** The method of Claim 35, further comprising adjusting either the forecasted sales or the pre-allocated supply for one or more products for the seller according to an arrival rate of customer orders for those products through the seller.

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed January 16, 2003. Although Applicant believes all pending claims are allowable over the cited references without amendment, to expedite issuance of the Application, Applicant has made clarifying amendments to Claims 11, 14, 19, 27, 30, and 35. None of these changes are considered necessary for patentability. Applicant respectfully requests reconsideration and favorable action.

Telephone Interview

In a telephone interview on April 2, 2003, Applicant discussed differences between Applicant's claims and the references cited by the Examiner. Applicant agreed to submit an amendment to clarify the claims.

The Claims are Allowable Over the Cited References

The Examiner rejects Claims 11-16, 18, 27-32, and 34 under 35 U.S.C. § 103(a) as being unpatentable over European Patent Office Publication No. 0425405A2 by James et al. ("*James*") in view of U.S. Patent No. 5,712,985 to Lee et al. ("*Lee*") and in further view of *The Keys to the Enterprise: Integrated Applications Drive Information Systems to New Horizons* by Rhodes ("*Rhodes*"). The Examiner rejects Claims 17, 19-26, 33, and 35-42 under 35 U.S.C. § 103(a) as being unpatentable over *James* in view of *Lee*, in further view of *Rhodes*, and in further view of *Dun & Bradstreet Software Delivers Sales and Promotion System to Manufacturers* by Smith et al. ("*Smith*").

Independent Claims 11, 19, 27, and 35 of the present application recite limitations that are not disclosed, taught, or suggested in any combination of *James*, *Lee*, *Rhodes*, *Smith*, and *New Para Research MRP II System Adapts Itself to Your Business* by Cavallaro ("*Cavallaro*"). As an example, neither *James*, *Lee*, *Rhodes*, *Smith*, nor *Cavallaro* disclose, teach, or suggest the following limitations recited in independent Claims 11, 19, 27, and 35, whether these references are considered individually or in combination with one or more of

each other or with knowledge generally available to those skilled in the art at the time of the invention:

- "pre-allocated supply of the product to the seller, the pre-allocated supply being a supply of the product that has been pre-allocated to the seller for promising to subsequent customer orders for the product through the seller, the pre-allocation of the supply of the product to the seller occurring prior to distribution of the pre-allocated supply of the product to the seller"; and

- computing "the amount of the product that is ATP at a seller according to at least the planned supply of the product, the customer orders for the product through the seller, the pre-allocated supply of the product to the seller, and the amount of the product that is ATP at a higher level in a seller hierarchy."

Accordingly, for at least these reasons, Applicant respectfully requests allowance of independent Claims 11, 19, 27, and 35, along with all claims that depend on independent Claims 11, 19, 27, and 35.

Conclusion

For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

If the Examiner believes that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to call Christopher W. Kennerly, attorney for Applicant, at 214.953.6812.

Applicant believes no fees are due. Nonetheless, the Commissioner is hereby authorized to charge any fee and credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant

Christopher W. Kennerly
Reg. No. 40,675

Correspondence Address:

Baker Botts L.L.P.
2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6812

Date: April 2, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. **020431.0662**

In re Application of:	§	
	§	
BRIAN M. KENNEDY	§	Examiner:
	§	
Serial No. **09/510,607**	§	**CAROLYN M. BLECK**
	§	
Filed: **22 FEBRUARY 2000**	§	Art Unit: **3626**
	§	
For: **MANAGING DATA ASSOCIATED WITH AVAILABLE-TO-PROMISE (ATP) PRODUCTS**	§	Confirmation No.: **2320**
	§	
	§	

TRANSMITTAL

MAIL STOP: PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please file the following enclosed documents in the subject application:

1. This Transmittal with Certificate of Mailing;
2. Petition to Withdraw Holding of Abandonment Under 37 C.F.R. § 1.181(a);
3. Duplicate Copy of Amendment filed 2 April 2003 in response to Office Action dated 16 January 2003, including the Facsimile Transmit Confirmation Report; and
4. Our return postcard which we would appreciate you date stamping and returning to us.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

Date of Deposit: 11/18/05

I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail with sufficient postage under 37 C.F.R. §1.8(a) on the date indicated above and is addressed to Mail Stop: Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

By: _____

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Please link this application to Customer No. 53184 so that its status may be checked via the PAIR System.

Respectfully submitted,

11/18/05
Date

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Brian E. Harris, Registration No. 48,383
Steven J. Laureanti, Registration No. 50,274
Daren C. Davis, Registration No. 38,425
Michael Alford, Registration No. 48,707
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jim@waltonpllc.com (Email)

CUSTOMER NO. 53184

ATTORNEYS AND AGENTS FOR APPLICANT